



Request for City Council Committee Action From the Department of Public Works

Date: July 24, 2012

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Subject: **Sabo Bridge Approach Ramp Easement Amendment**

Recommendation:

1. Authorize the proper city officials to amend an existing air rights easement agreement with Metropolitan Council to re-establish right-of-way for the eastern bridge approaches of the Sabo Bridge.

Previous Directives:

- None

Prepared by: Donald Pflaum, Transportation Planner 673-2129
Don Elwood, Director of Transp. Planning & Engineering 673-3622

Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Donald Pflaum, Transportation Planner

Reviews:

Permanent Review Committee (PRC):	Not Applicable
Civil Rights Affirmative Action Plan:	Not Applicable
Policy Review Group (PRG):	Not Applicable

Financial Impact:

Action is within current department budget.

Community Impact:

Neighborhood Notification: Not Applicable
City Goals: Supports City Transportation Goals
Comprehensive Plan: Supports Comprehensive Plan Goals
Zoning Code: Not Applicable

Background/Supporting Information

In 2007 the City of Minneapolis secured a Limited Use Permit (LUP) from the Minnesota Department of Transportation (MnDOT) for the construction and operation of the eastern approach ramps of the Martin Olav Sabo Bridge. The City also secured an air rights easement agreement (C-23323) in 2006 with the Metropolitan Council (Met Council), which allowed for a portion of the Sabo Bridge to be constructed over the Hiawatha Light Rail tracks.

On May 23, 2012 the Met Council authorized the purchase of a large tract of MnDOT property between Lake Street and East 26th Street, just east of Hiawatha Avenue. This purchase will allow the Met Council to permanently preserve the freight rail spur track located on this parcel. The Met Council uses this rail spur to transfer new light rail vehicles to the Hiawatha Line tracks when they are delivered via freight rail. A small parcel contained within this purchase near East 28th Street is being sold to Xcel Energy for a future power substation.

Since the property will no longer be in MnDOT ownership, the 2007 Limited Use Permit has been nullified, and a new agreement with the Met Council is required. After discussions with city legal and right-of-way staff, securing an easement with the Met Council is a more favorable option than purchasing the property.

This action will allow the existing air rights easement agreement with the Metropolitan Council to be amended, which will keep the eastern bridge approach infrastructure and operations in place. While the 2006 agreement is not optimal, requiring the city to take on some risk and liability, the proposed amendment does not add to those terms. The Met Council's staff informed the City about this purchase and are supportive of the creation of a new permanent easement to preserve the right-of-way necessary for the bridge approaches. There are minimal costs to the City associated with this easement and both agencies will benefit from this action.

Attachment 1: Property Map

Attachment 2: Easement Boundaries